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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,554	11/02/2001	Hong Thi Nguyen	36968-262341	5036

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EXAMINER

LE, KAREN L

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 12/03/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/003,554

Applicant(s)

NGUYEN ET AL.

Examiner

Karen Le

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 November 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-43 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-12, 15-34 and 36-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Cai et al. (U. S. 6,590,970).

Regarding claims 1, 10, 24 and 32 Cai teaches in an intelligent switched telecommunications network (Fig. 1, item 110), a method and for setting a limit on the duration of a voice channel communication, comprising the steps of: receiving a communication from a subscriber on a first network element (fig. 1, item 116), said communication causing said first network element to send a request to a second network element (Fig. 1, item 118), in response to

said request, sending a message from said second network element to said first network element, causing said first network element to request entry of demarcation information, wherein said demarcation information comprises a demarcation interval, receiving said demarcation information at said first network element, and communicating said demarcation information to said second network element, causing said second network element to store said demarcation information (Col. 3, lines 32-41, Col. 4, lines 8-30 and 50-60).

Regarding claims 2 and 18 Cai further teaches the step of storing said demarcation information comprises: comparing said demarcation interval to a default demarcation interval; determining which quantity is a lesser quantity; and storing said lesser quantity as said demarcation interval (Col. 4, lines 32-41).

Regarding claims 3, 11-12, 17, 25 and 28, Cai further teaches demarcation information further comprises a time period to which the demarcation interval applies (Col. 4, lines 50-60 and Col. 3, lines 32-41).

Regarding claims 4, 14, 19-20, 26, 36, 39-40, Cai teaches said demarcation information further comprises identification information for a first station participating in said voice channel communication (Fig. 1, item 102, Col. 1, lines 21-23 and Col 4, lines 19-24).

Regarding claims 5, 15, 27 and 37 Cai teaches said demarcation information further comprises identification information for a second station participating in said voice channel communication (Fig. 1, item 130, Col. 1, lines 21-23, Col. 4, lines 8-9).

Regarding claims 6, 16, 23 and 38 Cai teaches receiving of said demarcation information comprises receiving said demarcation interval as a monetary quantity (Col. 4, lines 64-66, and Col. 6, lines 1-4).

Regarding claims 7, 21, 29 and 41 Cai teaches said first network element comprises a service switching point (Fig. 1, item 116).

Regarding claims 8, 22, 30 and 42 Cai teaches said second network element comprises a service control point (Fig. 1, item 118).

Regarding claims 9, 31 and 43 Cai teaches said second network element further comprises a billing element, billing for accepting and enforcing said demarcation information (Col. 6, lines 1-4).

Regarding claims 33-34 Cai teaches first network element comprises a demarcation signal component and a communication disconnection component (col. 3, lines 39-42).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 13 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cai et al. (U. S. 6,590,970).

Regarding claims 13 and 35 Cai does not teach identification information comprises a password, said password causing said second network element to determine that said demarcation interval is infinite. However, Cai teaches the bonus call lasts for a predetermined duration determined by the sponsoring entity. The call is disconnected upon the expiration of the predetermined duration. It is merely a design preference or choice. The sponsor entity can select a predetermined duration equal infinite. Thus, Cai would not teach away from such a feature.

*Conclusion*

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

Hand-delivered responses should be brought to

Crystal Park II, Sixth Floor (Receptionist)

2121 Crystal Drive

Arlington, VA 22202

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Le whose telephone number is 703-308-4998. The examiner can normally be reached on Monday - Friday from 8:30 A.M. to 5:00 P.M.

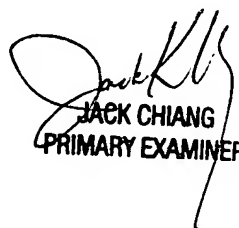
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Karen Le  
KLL  
November 1, 2004

  
JACK CHIANG  
PRIMARY EXAMINER